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**NAPA COUNTY GENERAL PLAN
GROWTH MANAGEMENT SYSTEM
INTERIM ELEMENT**

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Approved by Napa County Board of Supervisors August 18, 1981

A RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF NAPA APPROVING AND ADOPTING
THE GROWTH MANAGEMENT SYSTEM INTERIM ELEMENT
OF THE NAPA COUNTY GENERAL PLAN

WHEREAS, section 65357 of the Government Code requires that the Board of Supervisors, as the legislative body of the county, adopt any amendment to the General Plan, or any part or element thereof, by resolution, and;

WHEREAS, the Board has held public hearings, considered both oral and written testimony, received the recommendations of the Conservation, Development and Planning Commission and has considered the matters referred to by the Commission to this Board;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors for the County of Napa approves and herewith adopts that certain amendment to the Napa County General Plan entitled "Napa County General Plan Growth Management System Interim Element" all as set forth in the 17 page document dated August 5, 1981.

BE IT FURTHER RESOLVED that this Board of Supervisors has considered the requirements of Government Code section 65302.8 and other relevant sections regarding the obligation of the County of Napa to meet its appropriate share of the regional need for housing and makes the following findings:

1. As determined by the 1980 decennial Federal Census, the nine county Bay Area population has grown at a rate of 1.13% between 1970 and 1980.
2. The Association of Bay Area Governments (hereinafter ABAG) provides regional planning services pursuant to State Law for the nine county Bay Area. ABAG has designated Napa County as a separate subregional housing market area.
3. All the incorporated cities within Napa County have adopted General Plans indicating a collective ability and willingness to accommodate a population growth rate for the entire County of Napa of nearly double that of the Bay Area as a whole.
4. The combined planned population growth rate of the total County of Napa including all incorporated and unincorporated areas therein, is more than 1 and 1/4 times that of the nine county Bay Area.
5. The annual allocation of 134 dwelling units within the unincorporated area of Napa County would permit of an approximately 1% increase in housing stock in the unincorporated area of this County, which, rate of increase is approximately the same as the Bay Area growth rate of 1.13%.
6. The Napa County Board of Supervisors has determined that 1,256 proposed dwelling units within the unincorporated area of this County shall be and are exempt from Measure "A" because the developers' vested rights. This Board concludes that those dwelling units will almost certainly be completed within the next ten (10) years.
7. The adopted General Plans of Napa County, its constituent cities, and ABAG, all favor and encourage a concept of city-centered development, which concept is supported by State Planning Policies; this concept serves to reduce the proportional share of regional housing needs appropriate for the unincorporated portion of the County of Napa to a number less than the sum of the 134 dwelling unit annual allocation plus the dwelling units so exempted because of developers vested rights.

BE IT FURTHER RESOLVED that this Board in approving this element, makes the following additional findings:

8. Portions of the text of Measure "A" are susceptible of more than one interpretation, particularly in relation to the standards to be applied in implementing the mandates of the Measure. The method of establishing criteria for housing capable of purchase or rental by persons with average or below average income is tied by Measure "A" to the most recent Federal Census however the information from the most recent Federal Census necessary to accomplish this goal is not expected to be available until 1982.

9. An election is scheduled as part of the November 3, 1981 general election to consider the incorporation of a new city, the City of American Canyon. In the event such election is successful and the new city is formed it will be necessary for this Board of Supervisors to modify the formula by which the total number of dwelling units to be permitted under this Growth Management System is calculated and allocated among the several categories of dwelling units under said system.

10. This Board is required, by the terms of said Measure A, to implement the Growth Management System by August 18, 1981. In order to meet such mandate this Board adopts this "Napa County General Plan Growth Management System Interim Element" as an amendment to the Napa County General Plan, with the recognition that said system may require future refinement, modification and revision as relevant information is developed in the future, including the results and consequences of the November 3, 1981 election relating to the City of American Canyon and including receipt of further U. S. Federal Census data from the 1980 Census.

11. In evaluating the environmental effects of a project such as this, there are two potential sources of impact that should be considered; The first of these involves the potential for changes in the overall amount of development allowed. In the current case, the overall amount of development that could take place is controlled by the provisions of the Initiative Measure "A", itself. The adoption of this Growth Management Element has no independent effect on this source of impact and therefore would appear to have no effect on the environment. The other source of impact involved is the potential for changes in the geographic distribution of development as it takes place within the unincorporated portion of the County of Napa, and as it may induce more development in a given area than would otherwise occur. The Growth Management Element contains no explicit system for changing the current distribution of new development within the unincorporated portion of the County of Napa, which is essentially controlled by market factors. It may be that the Growth Management System may tend to reduce development in "unincorporated urban areas", however, in no area is it expected to increase the amount of development occurring. Thus again no adverse effect on the environment is expected. Based on the foregoing, it is concluded that the adoption of the Growth Management System Interim Element would not have any significant effect on the environment within the application of the California Environmental Quality Act (CEQA).

Adopted by the Napa County Board of Supervisors at its regular meeting of August 18th, 1981, by the following votes:

AYES: SUPERVISORS	<u>MIKOLAJCIK, CHEW AND</u>
	<u>MOSKOWITE</u>
NOES: SUPERVISORS	<u>MARTZ AND CHAPMAN</u>
ABSENT: SUPERVISORS	<u>NONE</u>

/s/HAROLD MOSKOWITE
Chairman of the Board

ATTEST:

FLORENCE W. CUNNY, County Clerk

By /s/KAREN ROBINSON
Clerk of the Board
(Deputy)

RESOLUTION NO. 81-100

A RESOLUTION OF THE CONSERVATION, DEVELOPMENT
AND PLANNING COMMISSION OF THE COUNTY OF NAPA
APPROVING AND RECOMMENDING THE GROWTH MANAGEMENT
SYSTEM INTERIM ELEMENT OF THE NAPA COUNTY GENERAL
PLAN.

WHEREAS, section 65352 of the Government Code requires that the Conservation, Development and Planning Commission, as the advisory body of the county, approve any amendment to the General Plan, or any part or element thereof, by resolution, and;

WHEREAS, this Commission has held public hearings, considered both oral and written testimony, and has considered the guidelines referred to the Commission by the Board of Supervisors to this Commission;

NOW, THEREFORE, BE IT RESOLVED that the Conservation, Development and Planning Commission for the County of Napa approves that certain amendment to the Napa County General Plan entitled "Napa County General Plan Growth Management System Interim Element" all as set forth in the 17 page document dated August 5, 1981.

BE IT FURTHER RESOLVED that this Conservation, Development and Planning Commission has considered the requirements of Government Code section 65302.8 and other relevant sections regarding the obligation of the County of Napa to meet its appropriate share of the regional need for housing and makes the following findings:

1. As determined by the 1980 decennial federal census, the nine county Bay Area population has grown at a rate of 1.13% between 1970 and 1980.
2. The Association of Bay Area Governments (hereinafter ABAG) provides regional planning services pursuant to State Law for the nine county Bay Area. ABAG has designated Napa County as a separate subregional housing market area.
3. All the incorporated cities within Napa County have adopted General Plans indicating a collective ability and willingness to accommodate a population growth rate for the entire County of Napa of nearly double that of the Bay Area as a whole.
4. The combined planned population growth rate of the total County of Napa including all incorporated and unincorporated areas therein, is more than 1 and 1/4 times that of the nine county Bay Area.
5. The annual allocation of 134 dwelling units within the unincorporated area of Napa County would permit of an approximately 1% increase in housing stock in the unincorporated area of this County, which rate of increase is approximately the same as the Bay Area growth rate of 1.13%.
6. The Napa County Conservation, Development and Planning Commission has determined that 1,256 proposed dwelling units within the unincorporated area of this County shall be exempt from Measure "A" because of the developers' vested rights. This Commission concludes that those dwelling units will almost certainly be completed within the next ten (10) years.

7. The adopted General Plans of Napa County, its constituent cities, and ABAG, all favor and encourage a concept of city-centered development, which concept is supported by State Planning Policies; this concept serves to reduce the proportional share of regional housing needs appropriate for the unincorporated portion of the County of Napa to a number significantly less than the sum of 134 dwelling unit annual allocation plus the dwelling units so exempted because of developers' vested rights.

BE IT FURTHER RESOLVED that this Commission in approving this element, makes the following additional findings:

8. Portions of the text of Measure "A" are susceptible of more than one interpretation, particularly in relation to the standards to be applied in implementing the mandates of the Measure. The method of establishing criteria for housing capable of purchase or rental by persons with average or below average income is tied by Measure "A" to the most recent Federal Census, however the information from the most recent Federal Census necessary to accomplish this goal is not expected to be available until 1982.

9. An election is scheduled as part of the November 3, 1981 general election to consider the incorporation of a new city, the City of American Canyon. In the event such election is successful and the new city is formed it will be necessary to reduce the total number of dwelling units to be permitted under this Growth Management System and allocated among the several categories of dwelling units under said system.

10. The Board of Supervisors is required, by the terms of said Measure "A" to implement the Growth Management System by August 18, 1981. In order to meet such mandate this Commission approves this "Napa County General Plan Growth Management System Interim Element" as an amendment to the Napa County General Plan, with the recognition that said system may require future refinement, modification and revision.

11. In evaluating the environmental effects of a project such as this, there are two potential sources of impact that should be considered; the first of these involves the potential for changes in the overall amount of development allowed. In the current case, the overall amount of development that could take place is controlled by the provisions of the initiative Measure "A", itself. The adoption of this Growth Management Element has no independent effect on this source of impact and therefore would appear to have no effect on the environment. The other source of impact involved is the potential for changes in the geographic distribution of development as it takes place within the unincorporated portion of the County of Napa, and as it may induce more development in a given area than would otherwise occur. The Growth Management Element contains no explicit system for changing the current distribution of new development within the unincorporated portion of the County of Napa, which is essentially controlled by market factors. It may be that the Growth Management System may tend to reduce development in "unincorporated urban areas", however, in no area is it expected to increase the amount of development occurring. Thus again no adverse effect on the environment is expected. Based on the foregoing, it is concluded that the adoption of the Growth Management System Interim Element would not have any significant effect on the environment within the application of the California Environmental Quality Act (CEQA).

Adopted by the Napa County Conservation, Development and Planning Commission at its regular meeting of August 5, 1981, by the following votes:

AYES: COMMISSIONERS Lewis, Barber, Haven, Denton and Corley

NOES: COMMISSIONERS None

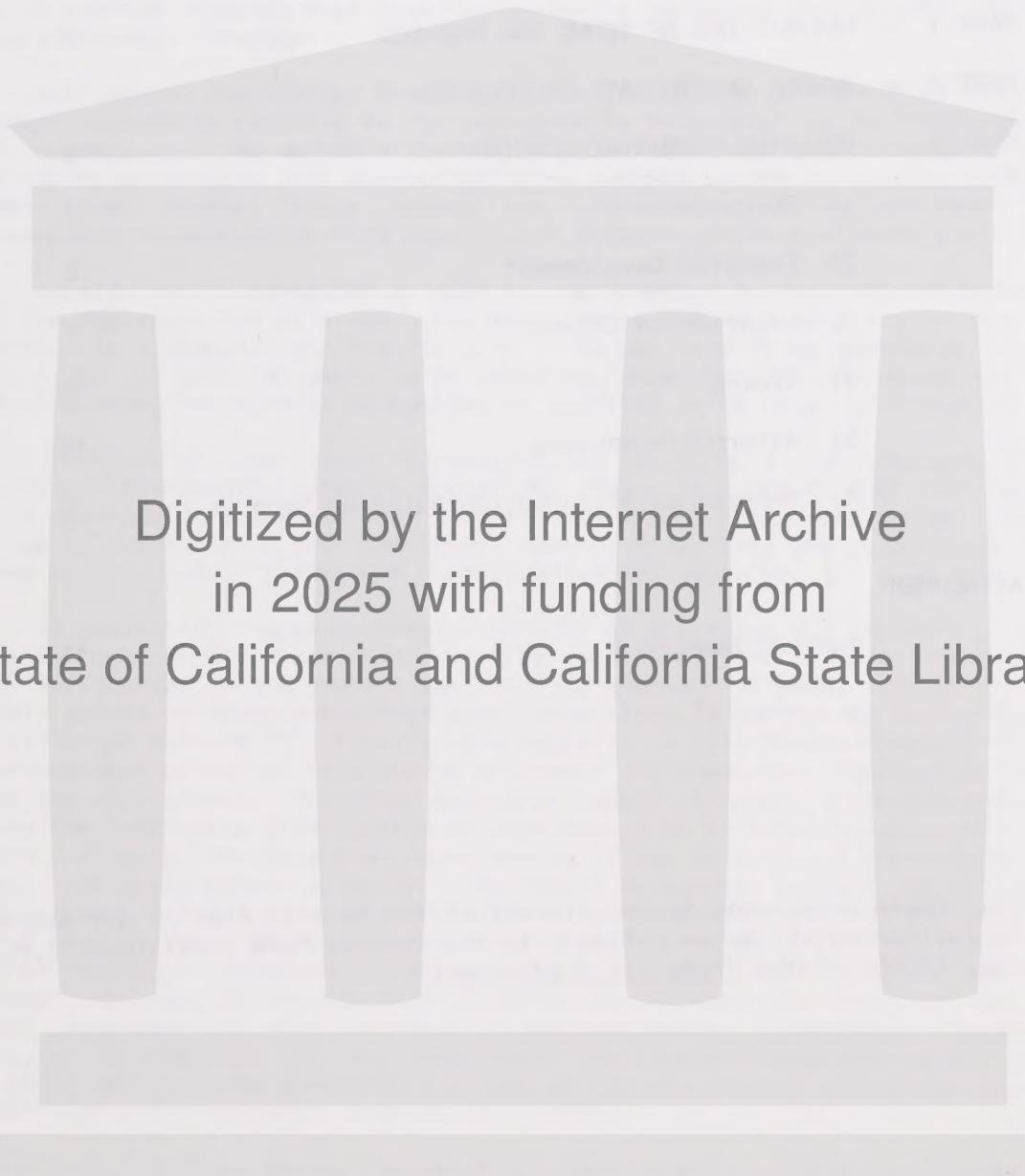
ABSENT: COMMISSIONERS None

/s/ JOHN JAY CORLEY
CHAIRMAN OF THE COMMISSION.

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The Growth Management System Element of the General Plan is not subject to environmental review pursuant to the General Rule provisions (i.e., Sec. 15060) of the State EIR Guidelines.



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INTRODUCTION:

The Growth Management System Interim Element of the Napa County General Plan was adopted as required by Slow Growth Initiative Measure A. (The text of Measure A, which was approved by the voters of Napa County in November, 1980, is attached to this Element.) The Board of Supervisors made the implementation of Measure A a matter of high priority. The Conservation, Development and Planning Department was given primary responsibility to prepare a Growth Management System which satisfies both the intent and letter of Measure A, while at the same time limits government controls. The draft Growth Management System Interim Element of the General Plan was the subject of 2 public hearings before the Conservation, Development and Planning Commission and 3 before the Board of Supervisors.

The Growth Management System Interim Element of the General Plan describes the derivation of the 134 dwelling unit (D.U.) annual allocation, the division of the annual allocation into housing type categories, the timing and methods used for issuing building permits, and the required provisions for affordable housing units. The Growth Management System Interim Element of the General Plan was adopted as an "interim" element because:

- 1) U.S. Census information which is essential for determining the income levels pertaining to "affordable housing" will not be available until 1982; and
- 2) The incorporation of American Canyon would significantly affect numerous particulars of the Growth Management System, notably the annual allocation of building permits.

The best data available have been used to address the issue of affordable housing. These numbers are subject to change to the extent that final U.S. Census information may differ from Local Review information currently in hand. As used in the Growth Management System Interim Element of the General Plan, income information used to define what constitutes affordable housing in September, 1981 comes from HUD (adjusted by the Consumer Price Index). HUD's income information is currently benchmarked to the 1970 U.S. Census; but will be modified in 1982 when income information from the 1980 U.S. Census becomes available.

The incorporation of American Canyon would, according to 1980 U.S. Census Local Review Information, reduce the unincorporated population by approximately 5,600 residents; but such a determination cannot be made until after the election in November, 1981. Following a successful election on the American Canyon Incorporation proposal, the Growth Management System Interim Element of the General Plan will be reviewed and revised.

While the Growth Management System Interim Element of the General Plan is not a mandatory general plan element (in the sense of Government Code Sec. 65302) it satisfies the requirement (Government Code 65302.8) that the County is accommodating its share of regional need for housing for the following reasons:

First, the 1% population growth rate (as translated to an annual allocation of 134 D.U./year) approximates the Bay Area population growth rate of 1.13%.

Second, the total number of D.U.'s grandfathered will augment the annual allocation, in terms of the total number of units permitted.

Third, plans for Napa County, its constituent cities and ABAG, all call for city-centered urban development; which would reduce the unincorporated area's proportional share of the County's total share of the regional housing needs.

Action by the Board of Supervisors on July 28, 1981 was to declare their intent to adopt the Growth Management System Interim Element of the General Plan. Adoption of the Element was formalized in a Resolution dated August 18, 1981.

PART I - DEFINITIONS OF TERMS AND PHRASES CONTAINED IN THE MEASURE A
GROWTH MANAGEMENT SYSTEM

(Terms and phrases are listed in the order in which they appear in Measure A.)

1) New Housing Units:

A room or connected rooms constituting a separate, independent house-keeping establishment for owner occupancy or rental or lease on a weekly, monthly or longer basis, physically separated from other rooms or dwelling units in the same structure, and containing independent cooking and sleeping facilities. May also be referred to as "dwelling units" or "residential units" and shall include mobilehomes (excepting those within the Lake Berryessa Take Line). Shall not include the rebuilding of an existing unit, the replacement of an existing unit by another, or the movement of an existing unit (currently outside the Lake Berryessa Take Line), or units exempted by "grandfathering".

2) Unincorporated Area:

All of the County area located outside of city or town limits.

3) Population Growth Rate:

The change in total population in one year's time stated as a percentage either increasing or decreasing. Calculations shall be based on U.S. Census data for the unincorporated part of Napa County (adjusted for annexations and incorporations), and the entirety of the 9-County Bay Area.

4) United States Census:

Shall refer to censuses conducted by the U.S. Bureau of the Census, including the Decennial Census (24), the Mid-Decade Census (25), also referred to as the Quinquennial Census, provided that the Mid-Decade information includes all of the data required by the Growth Management System. May also be referred to as the most recent Federal Census (11).

5) Persons Per Household:

The population in households divided by the number of occupied dwelling units in the unincorporated portion of Napa County. (Consistent with the 1970 Census definition App-4, PHC(1)-223)

"The average population per household is obtained by dividing the population in households by the number of household heads.

Head of Household. One person in each household is designated as the "head", that is, the person who is regarded as the head by the members of the household. However, if a married woman living with her husband was reported as the head, her husband

was considered the head for the purpose of simplifying the tabulations. Two types of household heads are distinguished - the head of a family and a primary individual. A family head is a household head living with one or more persons related to him by blood, marriage or adoption. A primary individual is a household head living alone or with nonrelatives only."

6) Vacancy Rate:

The number of vacant dwelling units divided by the total number of dwelling units in the unincorporated portion of Napa County (excluding the area within the Lake Berryessa Take Line).

7) Year-Round Housing Units:

Those dwelling units which are capable of year-round occupancy; excluding daily rentals and dwelling units within the Lake Berryessa Take Line.

8) At Least 15% of Those Housing Units Permitted Each Year:

15% of the annual number of permits which can be issued must be reserved for units capable of purchase or rental by persons with average or below average income.

9) Housing Capable of Purchase Or Rental By Persons With Average Or Below Average Income:

Income information provided annually by HUD shall be used; average shall mean the median. Capable of purchase or rental shall mean that not more than 30% of the (gross) household income shall be spent on housing costs such as rent payment, mortgage payment, insurance, taxes, and condominium membership fees.

10) Residents of the County of Napa:

Persons who have a Napa County address as their primary residence, as specified by the Bureau of the Census on Page 1 of the 1980 Census form.

11) Most Recent Federal Census: (See 4)

12) Growth Management System:

The comprehensive plan which will become part of the County's General Plan and together with new related ordinances (20), will implement the Slow Growth Initiative, Measure A.

13) Character:

Aesthetic and physical qualities which may be controlled, including

density, building type (e.g., single-family detached or attached, apartments, mobilehome parks), setbacks, height limits, landscaping, building coverage, color, siding material, roof overhang and material, accessory buildings, parking, orientation, style and signing.

14) Location:

Within the County - Which sub-area, whether inside or outside the cities, or where on a specific site.

15) Amount:

The number of new housing units approved for construction in one year.

16) Timing:

The amount of building permits issued within one year and over several years.

17) Future Residential Development:

The number of dwelling units to be permitted in the future through the controlled issuance of building permits in the unincorporated part of Napa County.

18) Adopt:

To formally accept by vote of the Board, after public hearing and discussion, in the same manner as a General Plan element.

19) Revised General Plan and Growth Management System: (See 12)

20) Related Ordinances: (See 12)

21) Building Permits for New Construction of Residential Units;

Permits for the construction of new dwelling units on a site. (Does not include rebuilding, remodeling, renovating or enlarging existing units, or moving an existing dwelling unit from one unincorporated site (outside the Berryessa Take Line) to another unincorporated site), or units exempted by "grandfathering".

22) Any Subdivision of Land:

Divisions of land which require discretionary action by the County; shall not include lot line adjustments, transfers of property or divisions in accordance with Ordinance #542.

23) Relevant Data Taken During the Most Recent Census:

Information necessary to calculate the annual number of dwelling units to be permitted (See 4).

24) U.S. Decennial Census: (See 4)

25) Mid-Decade Census: (See 4)

26) Reflect Any Changes in the Annual Population Growth Rate:

The maximum growth rate allowed shall be changed to match that of the 9 Bay Area Counties as soon as new information is available from the Census, but in no case can be greater than one percent.

PART 2 - ANNUAL GROWTH RATE CALCULATION

The Board of Supervisors has determined that the annual allocation of building permits, until the next U.S. Census, will be 134 D.U., not counting exempted/grandfathered units and not accounting for incorporation and annexation activity. The annual allocation will be adjusted following a successful vote on the incorporation of the City of American Canyon.

The 134 D.U. allocation was determined by adjusting the April, 1980 U.S. Census unincorporated housing, population and household vacancy rate figures to account for annexations and residential construction in 1980, in the following manner:

- ① Adjust the occupied housing units in the unincorporated area to account for last year's annexations, incorporations and newly-constructed occupied housing units.
- ② Multiply ① by 0.01 to account for the 1% annual growth limitation in occupied housing stock (and household population).
- ③ Divide ② by 0.908 to account for a 9.2% vacancy rate and to arrive at the annual allocation.

To convert housing units into population, multiply the result of Step ② by 2.6056 Persons Per Household (PPH).

PART 3 - BUILDING PERMIT ALLOCATION

1) Character:

Measure A defines "Character" as "the esthetic and physical qualities which may be controlled, including density, building type (e.g., single family detached or attached, apartments, mobilehome parks) setbacks, height limits, landscaping, building coverage, color, siding material, roof overhang material, accessory buildings, parking, orientation, style and signing."

Regulated building types are divided into the following four categories:

- A) Category 1 is a single dwelling built by or for a permit holder (owner-builder or his contractor) who is building only one dwelling unit per year.
- B) Category 2 is any type of dwelling which requires no discretionary review, but the permit holder is building more than one dwelling unit per year. A good example would be the small scale builder using existing lots.
- C) Category 3 is any type of residential project for 2 or more dwelling units which requires discretionary review (e.g., subdivision, parcel map, use permit). A large-scale housing project would be a good example.
- D) Category 4 is housing which is affordable to persons with average or below average income. This category would require a development agreement signed by the developer and the County; the development agreement to contain guarantees that the dwelling units would be affordable to persons of average or below average income.

The County would exercise the least control in Categories 1 and 2, and increasing levels of control over Categories 3 and 4.

2) Exempted Development:

The following types of construction are exempt from the provisions of the Growth Management System:

- 1) Industrial
- 2) Commercial
- 3) Commercial-Residential (daily rental)
- 4) Replacement housing (on the same site as a pre-existing unit which has been removed, demolished or burned within the past year) (but not in conjunction with #5).

- 5) Relocation of existing units (already in the unincorporated area, but not inside the Lake Berryessa Take-Line).
- 6) Additions, renovations, and refurbishments of existing dwelling units.
- 7) Dwelling units located inside the Lake Berryessa Take-Line.
- 8) Accessory buildings of any type (except dwelling units).
- 9) Guest Cottages.
- 10) Dwelling units for which building permit applications were filed by July 28, 1981.
- 11) Dwelling units covered by development agreements approved prior to July 28, 1981.
- 12) Dwelling units covered by both use permits and development plans approved prior to July 28, 1981 (i.e., Napa Meadows (434 D.U.), Silverado (280 D.U.), Meadowood (7 D.U.), Brookfield MHP (125 D.U.), Villa Berryessa MHP (202 D.U.), and Napa Estates MHP (208 D.U.)).

3) Location of Growth:

The Growth Management System defines "Location" as "Within the County, which sub-area, whether inside or outside the cities, or where on a specific site." The County's General Plan Population Distribution Policy reads, "... the County should plan for and accommodate the distribution of population among the sub-areas of the County, giving preference to the existing incorporated and urban areas." Higher density development would normally occur in the urban areas as a result of the availability of water and/or sewer facilities. Preference is to be given to the urban areas identified in the County's General Plan such as American Canyon, Angwin and those County islands surrounded by the City of Napa.

4) Timing:

The Growth Management System defines "Timing" as, "The number of building permits issued in one year and over several years." The annual allocation of building permits has been established at 134 per year. The effective date of the Growth Management System is July 29, 1981 and the pro-rated share for the remainder of 1981 is 57 permits. All 57 permits are available as of July 29, 1981 in the following quantities:

Category 1	34 Permits
Category 2	7 Permits
Category 3	7 Permits
Category 4	9 Permits

The annual allocation numbers in Table I and in Section 6 refer to a whole year's annual allocation of 134 permits.

When an annual allocation has not been used, the remainder may be carried over one year. The remainder ("X") which is carried over from "year 1" is immediately and continuously available in "year 2" (as described in Section 6 of the Growth Management System Interim Element). However, the remainder at the end of "year 2" must be reduced by "X" (but not made less than zero) on December 31st of "year 2".

At the discretion of the Board of Supervisors, the unused allocation in Categories 1, 2 and 3 could be transferred from one category to another (including additions to, but not subtractions from Category 4) in October. The Commission shall review the year's construction permit record and consider transfer of surplus allocations at its second meeting in September, each year. Following their review the Commission shall forward to the Board of Supervisors their recommendations for such changes in the allocation system, as they feel are warranted for the balance of the year, along with the supporting data for their recommendations.

5) "Affordable" Housing:

Measure A requires that "at least 15% of those housing units permitted each year shall be for housing capable of purchase or rental by persons with average or below average income."

The 15% affordability housing requirement is described in the definition section of the report as follows:

"Income information provided annually by HUD shall be used; average shall mean the median. Capable of purchase or rental shall mean that not more than 30% of the (gross) household income shall be spent on housing costs such as rent payment, mortgage payment, insurance, taxes, and condominium membership fees."

A \$600.00 monthly payment is estimated to meet the .30% of gross household income definition in September, 1981. Depending on the impact of factoring for household assets, inflation, interest rates, downpayment requirements, insurance, taxes and miscellaneous fees, many housing developments might qualify as "affordable."

Affordable housing can be of any type (single family, multiple, mobilehome), although permanent mobilehomes proposed to be located outside mobilehome parks shall obtain a certificate of compatibility pursuant to the County's ordinance implementing S.B. 1980. It is estimated that mobilehomes and farm labor housing will meet the affordability criteria more readily than other types of dwellings. The 15% affordable housing (Category 4 in the Growth Management System) requires a Development Agreement. It is the developer's responsibility to identify how the unit(s) will meet the "affordable" criteria, and this documentation will be included as part of the approved development agreement.

Developers could count appreciation and tax write-off advantages into ownership affordability calculations. The development agreement will be standardized and xeroxed with blanks to be filled in, in order to expedite its processing.

The most recent HUD information will be used in calculating affordability. The most recent HUD figures at the time the unit is marketed may be used or an adjustment using the C.P.I. will be allowed if one year has passed and HUD has not issued a new figure.

Measure A neither specified who shall occupy the affordable units nor that the units shall continue to be affordable after issuance of the building permit. However, the common concern and the thrust of State housing guidelines regarding affordable housing is that of eligibility and permanence.

TABLE I MEASURE A GROWTH MANAGEMENT SYSTEM; BUILDING PERMIT DISTRIBUTION SYSTEM

Category of Regulated Development*	Annual Allocation **	Building Permit Distribution Process:	
		When Supply Exceeds Demand	When Demand Exceeds Supply
1 Owner-Occupied (one building permit per year)	80	First approved, First served	Lottery (Quarterly)
2 Small-Scale Builder (2 or more permits) (no discretionary review required) (final map must be recorded)	17	First approved, First served	Lottery (Annually)
3 Large-Scale Builder (2 or more permits) (discretionary review required)	17	Discretionary Review First approved, First served	Discretionary Review Lottery (Annually)
4 Affordable House (development agreement required)	20	May require discretionary review Development Agreement First approved, First served	May require discretionary review Development Agreement Lottery (Annually)

*Note that the following types of development are exempted from regulation of the Growth Management System:

Industrial, commercial, commercial-residential (dally rental), replacement housing, additions to and renovations of existing dwelling units, certain house moving, dwellings inside the Lake Berryessa Take line, accessory buildings, guest cottages, units covered by development agreements approved prior to July 28, 1981, and units covered by both development plans and use permits approved prior to July 28, 1981.

**Unused permits in Categories 1, 2, & 3 will be considered for redistribution each September by the Conservation, Development & Planning Comm.

6) Process of Distributing Building Permits:

The recommended Growth Management System assigns a share of the annual allocation to each of four categories of regulated development as shown below:

CATEGORY	SHARE OF ANNUAL ALLOCATION	BUILDING PERMIT AVAILABILITY DATES*			
		January 1	April 1	July 1	October 1
1) Owner-Occupied	80 D.U.	20 D.U.	20 D.U.	20 D.U.	20 D.U.
2) Small-scale Builder	17 D.U.	17 D.U.			
3) Large-scale Builder	17 D.U.	17 D.U.			
4) "Affordable" House	20 D.U.	20 D.U.			

* Unused permits in Categories 1, 2 and 3 will be considered for redistribution each September by the Conservation, Development and Planning Comm.

In order to distribute the shares of the annual allocation to ensure fairness to all applicants, the following two-step distribution system is recommended:

In the first step, building permits would be issued on a first-approved, first-served basis until all the permits in that allocation period for that category have been used. When the demand for permits in any category exceeds the supply available, the second step process, a lottery, is initiated. For example, in Category 1, (in which 20 additional building permits become available each three months), each applicant whose plans have received all necessary approvals can immediately receive a building permit, if one is available. The first day of each quarter, an additional 20 building permits is added to the Category 1 supply. Category 1 applicants whose plans are fully approved, can be issued permits until there are no more permits available in the Category 1 supply.

In the second step, permits are issued on the basis of a lottery. Building permit applications enter a lottery when they:

- a) Are approved for issuance of a building permit; but
- b) None is available in their category, and
- c) The backlog of approved applications exceeds the next available allocation of permits in that category.

All applications approved in the first quarter in which the supply ran out (for example, the first quarter of 1982), are drawn from the lottery (to be held on April 1, 1982) as long as the new supply of permits lasts, until none of those approved applications is left. After all of the "first quarter of 1982" applications are assigned permits, the next time period of approved applications (the "second quarter of 1982") would be included in the lottery and those applications would be drawn from the lottery until they all were assigned permits. The lottery would continue until there was a surplus of permits available, which would allow a return to the first step process (first approved, first served).

For example, assume Category I experiences a surplus of applications during the first quarter of 1982, and the last available permit is issued March 10, 1982. All Category I applicants wishing to receive a permit between then and April 1, 1982 must wait until April 1st for permits to become available, at which time they could immediately be issued permits, if the backlog of fully approved applications is no more than 20. If there was a backlog of ten (10) approved applications as of April 1st, those applications would have permits reserved in their names, which permits could be issued any time in the next 180 days. (If these reserved permits weren't issued in 180 days, they would revert to the Category I supply and be available to other applicants.) If the backlog on April 1st was 30, there would be a drawing on April 1st. The first 20 applications drawn would have permits reserved, as above, and the remaining ten would have to wait until July 1st, at which time they would be guaranteed a reserved permit, as above. In this example, there would be no permits issued between April 1st and July 1st except to those applicants in whose name a permit was reserved.

The advantages of this system are as follows:

- 1) Applicants for building permits would experience minimum frustration since they would have some degree of certainty as to when they would get their permits and could plan their construction accordingly.
- 2) Applicants would realize it was to their benefit to submit complete plans as soon as they could, especially when asked for necessary additional information.
- 3) Administrative work would be kept to a minimum, since there would be no need for the County to select or grade applications by their relative merit. The choice of who gets a permit would be random, except that there would be some regard for precedence.
- 4) The main advantage of this system of distributing building permits is that it limits governmental control. If the supply of building permits exceeds the demand for permits, there is no growth management control at all.

Various details of the lottery are as follows:

- 1) Lotteries, when necessary, would be by category. Lotteries for Category I, held every three months until a backlog is eliminated, would be for single permits, drawn one at a time.

Lotteries for Category 2, held in January (when necessary) would be for single permits, drawn one at a time. Lotteries for Categories 3 and 4 would be held in January. Applications for groups of approximately five permits would be accepted to balance concerns for sharing the allocation and creating some minimal economies of scale.

- 2) Fully approved applications would be listed by Assessor's parcel number in order of approval on a chronological master list. That number would correspond to a numbered, three-part card; one part is mailed to the applicant, one part is copied and entered in the lottery and one part is kept on file.
- 3) Only one entry per person (household, business, corporation) could be included in each lottery. (This would not keep a contractor from building several homes, each under contract to a separate owner.)
- 4) Lottery cards would be dropped into a ballot box, one at a time, by the lottery secretary, mixed and drawn out one at a time by the lottery judge until all numbers have been drawn and listed in the order in which they were drawn.
- 5) A list of all the cards in the lottery would be displayed prior to the drawing; during the drawing the sequential order in which the cards were drawn would be noted on the xerox list. All cards would be drawn and listed, even if the number of permits available was exceeded, so each applicant would be assured he was not left out of the drawing.
- 6) The drawing operation must be conducted so as to be beyond reproach; the person who draws the numbers must be someone whose integrity and involvement bespeaks honesty and objectivity; for example, a clergyman.
- 7) Improvements required as a condition of approval for Category 3 and 4 proposals could be deferred by development agreement until permits are reserved; but would have to be completed between when the permits are reserved and issued. Once improvements were initiated (to some specified extent), the period for issuance of the reserved permits would be extended to one year (rather than 180 days).

- 8) All issued permits are subject to the UBC non-use revocation provision; revoked permits will be added to the supply of permits in the category in which they were issued.
- 9) Permits are transferrable upon sale of the parcel but can neither be transferred to a different site nor substituted for a different dwelling. Minor design changes are acceptable; major/structural changes, can be made only in case of 1) redesign for energy efficiency or 2) down-scaling due to economic necessity.

Attachment

Text of Measure A Adopted by Voters November 4, 1980

NAPA COUNTY
SLOW GROWTH INITIATIVE MEASURE A
Full Text of Ordinance

INITIATIVE ORDINANCE FOR A SLOW GROWTH
GENERAL PLAN, REDUCTION OF COSTLY URBAN
SPRAWL, AND THE PRESERVATION OF THE COUNTY'S
UNIQUE CHARACTER AND AGRICULTURAL LANDS.

TO THE BOARD OF SUPERVISORS OF THE COUNTY OF NAPA:

We, signators hereof, being duly qualified and registered electors of the County of Napa, California, hereby petition the Board of Supervisors of said County and request that the following proposed ordinance be submitted immediately to a vote of the people at a regular or special election, pursuant to the Election Code of the State of California; or that, in lieu of an election, the Board of Supervisors enact said proposed ordinance pursuant to said Election Code. To the degree practicable, we would encourage that the proposed ordinance be placed on the ballot at the general election to be held November, 1980.

The People of the County of Napa do ordain as follow:

Section 1. Findings.

The People of the County of Napa find that mismanaged and unlimited residential growth causes conditions harmful to the public health, safety and general welfare and results in substantial increase in the cost of government services, loss of irreplaceable agricultural land, inadequate police and fire protection, increased traffic congestion, inadequate parks and recreation facilities, loss of open space, increased air pollution, deterioration of older urban areas, general urban sprawl, increased crime rate and overcrowded schools.

Section 2. Purpose.

The People declare that the foregoing conditions can be avoided, or alleviated, by the enactment of this Ordinance.

Section 3. Standards.

(a) The annual number of new housing units permitted in the County of Napa (unincorporated area), through the year 2000, shall be limited to accommodate an annual population growth rate that shall not exceed that of the Nine San Francisco Bay Area Counties (Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Sonoma, and Solano) as such rate is reflected in the United States Census; provided, however, that said annual population growth rate limit shall not be permitted to exceed 1% in the County of Napa (unincorporated area). In setting the annual number of new housing units permitted, the Board of Supervisors shall use the most recent United States Census for determining the persons per household and the vacancy rate of the year-round housing units.

(b) At least 15% of those housing units permitted each year shall be for housing capable of purchase or rental by persons with average or below-average income. The average income shall be based on the average income of residents of the County of Napa, based on the most recent Federal census.

Section 4. Programs.

(a) General Plan Revision and Growth Management System. Within nine (9) months of the date of this Ordinance becomes effective, the County of Napa shall amend its General Plan to comprehensively carry out the provisions enacted by this Ordinance, and shall enact, as part of the General Plan, a Growth Management System and such ordinances as are required to implement the intent of this ordinance, to regulate the character, location, amount, and timing of future residential development, in conformity with the standards and procedures contained in this Ordinance. If the County of Napa does not adopt a revised General Plan and Growth Management System and related ordinances as required by this Ordinance within nine (9) months of date this Ordinance becomes effective, no building permits for new construction of residential units shall thereafter be issued by the County of Napa, nor shall any subdivision of land thereafter be approved, until such time as said General Plan revision and Growth Management System and related ordinances as required by this Ordinance are adopted as provided herein.

FULL TEXT OF MEASURE A, CONTINUED

(b) Review Following Census. The Board of Supervisors, as soon as it receives the relevant data taken during the most recent Census (U.S. Decennial Census and Mid-Decade Census), shall modify the Growth Management System to reflect any changes in the annual population growth rate for the Nine San Francisco Bay Area Counties as reflected in said census; provided, however, that all modifications shall be consistent with the provisions of this Ordinance and in accordance with the standards contained in Section 3 herein.

Section 5. Severability.

If any portion of this Ordinance is hereafter determined to be invalid, all remaining portions of this Ordinance shall remain in full force and effect, and to this extent the provisions of this Ordinance are separable.

Section 6. Amendment.

No part of this Ordinance shall be amended or repealed, except by a vote of the people.

Section 7. Effective Date.

This Ordinance shall take effect as provided by law.

Section 8. Ordinance Supersedes.

The provisions of this Ordinance shall be held to be the minimum requirements for the promotion of the public safety, health, convenience, comfort, prosperity, and general welfare. This Ordinance shall supersede any other ordinance, rule or regulation which has been previously adopted by the Board of Supervisors, or by a vote of the people to the extent that said Ordinance, rule or regulation conflicts with and is inconsistent with the provisions of this Ordinance. This Ordinance is not intended to interfere with, abrogate, annul, or repeal any ordinance, rule, or regulation which has been previously adopted and is not in conflict with any of the provisions of this Ordinance.

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